

~~SECRET~~

12

6 July 1961

Basic Doctrine Re The Support of Violence Across Borders

1. The United States (and virtually all other nations) has always historically supported the doctrine of nonintervention in the internal affairs of other nations. It has occasionally been suggested that our vigorous, and often self-righteous, public support of this doctrine inhibits us in efforts to counter communist subversion and communist use of violence, especially in the underdeveloped nations, and that we should therefore consider some modification of the doctrine. The counter argument seems however not only to have more support within the U.S. Government but also to have greater validity. It is to the effect that the doctrine of nonintervention, even though universally flouted by the communists, nevertheless is more valuable to us than to them. The reasoning is that although the open societies of the West are less successful than the communist societies in practicing covert intervention while publicly adhering to a doctrine of nonintervention, nevertheless the public doctrine does exercise considerable restraint on the communists. Since it is alleged that the communists, if unrestrained, would have vastly greater capability of violent intervention than the West, the conclusion is that the West can well afford to accept a greater restraint on the use of its lesser capability in order to maintain a greater degree of restraint on the communists' very much greater capability. *Liner*

2. This appears to be the reasoning behind what might be described as the cold-blooded case for continuing publicly to uphold the doctrine of nonintervention. A more powerful pragmatic case is simply that this doctrine has acquired such wide respectability and appeal that the U.S. could not propose publicly to modify or weaken it without paying an unacceptably heavy price. Accordingly, it is probably not worthwhile to debate whether if we threw off some of the restraints we could not develop a capability fully equal to that of the communists. Realistically, our public commitment to the doctrine of nonintervention has to be accepted as a fact of life.

3. Taking this as a starting point, however, an ingenious application and extension of the doctrine is proposed. It can be expressed in the following propositions:

APPROVED FOR RELEASE

5/21/98

~~SECRET~~

JFK LIBRARY
MANDATORY REVIEW
CASE # NLK-97-72
DOCUMENT # 12

~~SECRET~~

26

(a) Since all nations accept the doctrine of nonintervention, the U.S. is going to treat the activities of any nation which incites and supports violence within another nation as a form of aggression morally equivalent to the military crossing of a border.

(b) When a situation arises in which this subversive form of aggression is threatened or is being practiced, the U.S. will generally favor the use of international control machinery to halt it, provided such machinery can be made to operate with full effectiveness.

(c) If, however, in the face of clear evidence that violence is being supported across an international border, the establishment of international machinery to curb this type of aggression is opposed, or the machinery is ineffective, the U.S. reserves the right to employ force (or to support the employment of force) (up to at least the same scope and level) in defense of the threatened nation.

(d) Any such unilateral use of force by the U.S., or with U.S. support, will be strategically a defensive action. That is to say, it will have as its purpose to induce a cessation of the subversive aggression to which it is a response.

(e) Nevertheless, in taking such action the U.S. will not deny itself (or its friends) the advantage of the tactical offensive, nor will it limit itself to weapons of the enemy's choosing. Specifically, it will feel free to incite and support violence within the aggressor's territory and to use weapons in which it has an advantage, but will endeavor to avoid major escalation of the scale of violence or sophistication of weapons.

4. In the above form, this doctrine is proposed both as a policy to guide the U.S. response to situations of violence and as a rationale which would underly the public posture of the U.S. As a rationale this amounts to an assertion that the U.S. (a) takes the doctrine of nonintervention so seriously that it is going to treat violent intervention as the equivalent of overt aggression, and (b) recognizes the right of any country which is the victim of subversive violence to practice subversive violence in its own defense. It may well be asked whether this is not a justification for a declaration of war by the victim of subversion against the aggressor. It could, of course, be just that. But

~~SECRET~~

~~SECRET~~

- 3 -

the essence of the doctrine is that, because subversive violence involves the use of force for purposes of aggression but on a scale considerably less than that typical of a declared war, it is necessary to recognize the right of the victim to use force on a similarly limited scale in its own defense. It could well be argued that unless either this remedy of the unilateral limited use of force or the preferred remedy of effective international policing is available, then the doctrine of nonintervention operates one-sidedly to benefit the nation that undertakes violent subversion. In a situation like that existing between the DRV and South Vietnam, it would be difficult to justify to what is called "world opinion" a declaration of war by SVN as a response to the guerrilla activity of the Viet Cong within its own borders. A declared war would indeed involve a major escalation of the scale of violence as well as serious danger of a widening of the conflict. Under these circumstances, a persuasive case could be made to the effect that the doctrine of nonintervention should not deny South Vietnam any remedy against this form of aggression.

5. As an operational policy, this doctrine has important implications for U.S. action in situations of the type to which it is intended to apply.

(a) First, it puts a premium on acquiring persuasive proof that subversive violence is being employed in a particular situation. The test set up in this doctrine is that support is being provided and control exercised across a border. The aggressor country in such a situation has always claimed that the violent resistance is a purely indigenous revolution. Persuasive proof will presumably have to take the form of intercepting communications or of prisoners who can be produced in sufficient numbers or of captured boats, trucks, or aircraft. If the support being rendered across the border is in a mild enough form (for instance limited to money payments), it will usually not be worthwhile to try to invoke this doctrine.

(b) The most interesting concept in the doctrine is that of the tactical offensive and of the independent choosing of weapons. As to the former, the advantages of carrying the war to the enemy's country are obvious. It is particularly unjust that the population which supplies most of the victims in guerrilla warfare should be that of the victim of aggression while the aggressors people and lands

~~SECRET~~

~~SECRET~~

are untroubled. As to the latter, it is indeed high time that we applied ingenuity to the choosing or the development of weapons which involve no major escalation in the degree of sophistication but in which for one reason or another our friends have a relative advantage in a given situation. For instance, small boat operations may be much easier in certain situations than the infiltration of guerrillas into enemy territory by land. We may be able to develop weapons (other than conventional bombs) that could be used from aircraft with effects having some similarity to those of sabotage carried out by teams on the ground.

6. Finally, although the doctrine as here stated makes no specific reference to covert activities, it has an important application to them. It would lose much of its value as operational policy unless, in its aspect as a rationale, it became widely known. Accordingly, it must be assumed that, even if not in some official manner announced by the U.S. Government, public expression would be given to the rationale in various ways. This would have two implications. On the one hand, it would permit the U.S. to support more or less openly certain activities which, without such a rationale, can be supported only covertly. In this way, the adumbration of the doctrine would permit the realm of covert paramilitary action to be narrowed. On the other hand, the political risks of certain covert actions would be significantly reduced, since a rationale for such actions would have been made known publicly. Taking these two implications into account, it seems likely that it would still be desirable for tactically offensive actions, those involving the support of violence within the territory of the enemy, to be done in such a manner as to be at least officially disclaimable. The whole reason for limiting the scale and technical sophistication of a paramilitary action taken in response to violent subversion is to avoid escalation. This advantage is lost if an offensive operation against the aggressor is conducted in such a manner as to compel him to regard it as a formal act of war. Unless, therefore, the enormous advantages of being free to employ the tactical offensive are to be foregone, every precaution should be taken to make such acts symmetrical in form, as well as in scale and technical sophistication, to the strategic offensive originally mounted by the aggressor. This would usually require that the acts be disclaimable but, with the proposed new rationale, it is far less important that they be truly covert.

~~SECRET~~